

Subsection (c) presently appears as Art. 43, §197-9(b) of the Code. The provision setting forth the legislative intent of this subsection is proposed for deletion because the declaration of legislative intent in §4-202 applies to the entire subtitle. The last phrase is proposed for deletion. The U.S. Constitution prohibits a state from enacting a law that is less restrictive than the federal law regulating the same subject matter. The State, of course, may enact a law more restrictive than the federal law. This deletion is proposed to avoid an interpretation that this provision prohibits the Secretary from adopting rules and regulations more restrictive than the federal rules and regulations.

The only other changes made are in style.

SEC. 4-210. SECRETARY MAY SET CONDITIONS LIMITING ENTRY INTO OFFICIAL ESTABLISHMENT.

THE SECRETARY MAY PRESCRIBE CONDITIONS LIMITING THE ENTRY OF POULTRY PRODUCTS AND OTHER MATERIALS INTO ANY OFFICIAL ESTABLISHMENT TO ASSURE THAT ENTRY IS CONSISTENT WITH THE PURPOSES OF THE SUBTITLE.

REVISOR'S NOTE: This section presently appears as Art. 43, §197-17. The only changes made are in style.

SEC. 4-211. USE OF FALSE, MISLEADING, OR UNAPPROVED NAMES, MARKINGS, LABELS, OR CONTAINERS PROHIBITED.

(A) FALSE OR MISLEADING MARKING OR LABELING PROHIBITED.

NO PERSON MAY SELL, OFFER FOR SALE, OR DONATE ANY ARTICLE SUBJECT TO THIS SUBTITLE UNDER ANY FALSE OR MISLEADING NAME, MARKING, OR LABELING OR IN ANY CONTAINER OF A MISLEADING FORM OR SIZE. IN ADDITION TO ANY OTHER PROVISION OF THIS SUBSECTION, ESTABLISHED TRADE NAMES, OTHER MARKING, LABELING, AND CONTAINERS APPROVED BY THE SECRETARY ARE PERMITTED.

(B) WITHHOLDING MARKING OR LABELING BELIEVED FALSE OR MISLEADING; HEARING; APPEAL FROM SECRETARY'S DETERMINATION.